

## APPENDIX C: IMPLEMENTATION PLAN

### INTRODUCTION

On March 19, 2007 the Flathead County Commissioners adopted the Flathead County Growth Policy. That document contained 50 goals and 262 accompanying policies that guide growth in Flathead County.<sup>1</sup> Chapter 10 of the document calls for the completion of an implementation plan to guide the prioritization and implementation of policies. The following is a detailed analysis of the 262 existing policies and the regulatory and non-regulatory mechanisms needed to implement that Flathead County Growth Policy. This plan is non-binding and non-regulatory and can be modified as needed based on the availability of resources and public will.

#### **PART 1: Re-categorization of policies.**

An important first step in implementing the Flathead County Growth Policy is identifying the follow-up technique for each policy. The first part of this plan will re-categorize each policy as “Policy,” “Action Item” or “Neither” and list the implementation method. A definition of each is provided below. Duplicate or similar policies are cross-referenced for convenience.

#### **Definitions:**

**Policy:** A specific but non-regulatory statement that directly guides a community towards meeting an established goal regarding the promotion of public health, safety, welfare and efficiency in the process of community development. Growth-related policies are frequently directly implemented with regulatory mechanisms.

**Action Item:** A statement providing guidance for future planning efforts and requiring a follow-up action such as creation of a subsequent, more detailed plan or educational outreach effort. Implementation of an action item (i.e. creation of an additional plan) can result in detailed policies regarding a specific issue.

**Neither:** The “policy” as stated in the Flathead County Growth Policy provides no specific growth guidance or direction for future planning efforts.

**Implementation Method:** A suggested way to apply the policy or action item to promote healthy, safe and efficient growth. Some methods may be administrative, some are regulatory while others necessitate additional planning efforts with an increased level of detail beyond that which can be offered by the county-wide growth policy.

---

<sup>1</sup> The 2011/2012 Growth Policy update now contains 51 goals and corresponding 262 policies.

**POLICIES**

Policy		Implementation Method
P.2.3	Recognize the potential for imprecisely surveyed parcels throughout Flathead County as a result of the original surveying methods used by the General Land Office. As a result, respect private property rights by allowing minimum lot sizes that enforce the spirit of density guidelines without punishing those who own slightly less than standard acreage units.	Zoning- allowance for percentage of minimum lot size to meet the requirement.
P.5.1	Match requirements of industrial land uses (such as human resources, adequate water supply, suitable road networks) and areas of Flathead County where those requirements can best be met.	Neighborhood Plans  Industrial Zoning
P.5.2	Promote industrial parks and centers that take advantage of infrastructure and minimize impacts to the environment or adjacent land uses.	Neighborhood Plans  Industrial Zoning
P.5.5	Restrict industrial uses that cannot be mitigated near incompatible uses such as residential, schools and environmentally sensitive areas such as wetlands, floodplains, riparian areas, areas of shallow groundwater, etc.	Neighborhood Plans  Industrial Zoning
P.6.1	Encourage internal, interconnected roads for commercial development and frontage roads where appropriate.	Commercial Zoning, combined with Official Right of Way map identifying areas to be reserved for frontage road.  Subdivision Regulations.  Neighborhood Plans  Overall Development Plans
P.6.2	Restrict commercial development in unsafe, inaccessible, remote rural areas.	Neighborhood Plans  Overall Development Plans

		Commercial Zoning
P.6.4	Require traffic impact analysis for all major commercial projects on major highways and arterials.	Subdivision Regulations
P.6.5	Conserve resources and minimize transportation demand by encouraging redevelopment and infill of existing commercial areas in the county.	Neighborhood Plans. Overall Development Plans Commercial Zoning
P.7.3	Encourage small-scale, impact-mitigated and compatible commercial developments in accessible, developing rural areas with good access and away from urban areas.	Commercial Zoning Overall Development Plans Neighborhood Plans
P.7.6	Encourage mixed use developments that share infrastructure requirements such as parking, pedestrian facilities, etc. and reduce traffic by promoting live/work situations where appropriate in Flathead County.	Commercial Zoning Possibly a new zone would need to be created to guide mixed use development. Overall Development Plans Neighborhood Plans
P.10.1	Discourage high density development within the 500-year floodplain.	Zoning Flathead County Floodplain Regulations. Overall Development Plans Neighborhood Plans
P.10.2	Discourage development within the 100-year floodplain that displaces floodwaters to neighboring properties.	Flathead County Floodplain Regulations. Subdivision Regulations
P.10.4	Restrict development directly on lands with steep slopes.	Development Predictability Map (DPM) Overall Development Plans

		Neighborhood Plans Subdivision Regulations
P.10.5	Protect wetlands and riparian areas. See Goal 38 and Policies 38.1 through 38.4.	Zoning Overlay Development Predictability Map. Subdivision Regulations
P.10.7	On lands that contain areas both suitable and unsuitable for development, encourage open space development design techniques to cluster dwellings away from hazardous and/or unsafe areas.	Overall Development Plans Neighborhood Plans Zoning with clustering incentives. Subdivision Regulations
P.12.5	Designate areas where mineral resource extraction is most appropriate and will have the least impact on other resources and land uses.	Zoning overlay- new zone to implement this policy and those identified in Mineral Resource Extraction Plan. Rural Lands Policy and Regulation Advisory Committee
P.12.6	Restrict sand and gravel operations in areas that pose a threat to water quality.	Mineral Resource Extraction Plan. Zoning overlay
P.12.7	Encourage progressive reclamation of mineral extraction operations.	Reclamation standards for zoning overlay in areas deemed appropriate for gravel extraction. Mineral Resource Extraction Plan.
P.13.3	Abide by all applicable FAA guidelines for safety around airfields.	Use zone developed for P.13.1 to implement FAA guidelines for structures,

		towers, etc.
P.13.4	Encourage the development of an airport-appropriate industrial/business center to provide convenient access to Glacier International Airport and serve a growing economy.	Industrial/Commercial Zoning.  Neighborhood Plans
P.14.1	Identify a 1,320 foot buffer surrounding the landfill and designate this area only for those land uses compatible with current and future landfill activities. Compatible use types such as industrial should be encouraged in this buffer.	Zoning  Neighborhood Plans
P.14.4	Encourage visually screened, wildlife resistant, centralized collection sites or contract hauling in new subdivisions.	Subdivision Regulations.  Similar to P.26.2 and P.26.3
P.15.2	Provide services and facilities to support elderly and special-needs residents.	Utilize zoning to designate growth areas near bases of needed elderly services
P.16.1	Provide land use-based incentives and density bonuses for the promotion and development of affordable housing opportunities for a range of household types, family sizes, incomes, and special consideration groups.	Affordable housing incentives need such things as density bonuses through zoning, fee waivers and expedited review AND follow-up administration to ensure affordability of units once built.
P.16.3	Promote the development of affordable single and multi-family housing in areas of adequate service networks.	Neighborhood Plans  Incentive zoning in appropriate areas.  Subdivision Regulations  Development Predictability Map (DPM)
P.17.1	Include provisions in the county zoning and subdivision regulations to promote affordable homeownership throughout the county	Text amendment to zoning regulations to create affordable housing incentive zoning.

		Subdivision Regulations
P.17.2	Incorporate density bonuses in zoning and subdivision regulations for developments offering affordable homeownership.	Same as P.16.1, P.16.3, P.17.1. Same implementation.  Subdivision Regulations
P.17.3	Encourage mobile home parks as a form of affordable homeownership in areas with access to public sewer and water.	Similar to P.16.7.  Neighborhood Plans  Zoning to promote mobile home park development in appropriate areas.  Subdivision Regulations
P.18.2	With the exception of water based parks, utilize subdivision park requirements to create and/or fund dedicated park sites of an optimal size of no less than five acres, to accommodate operation and maintenance costs.	Subdivision regulations, in cooperation with Flathead County Parks Board AND Parks and Recreation Master Plan.
P.19.3	Support “pocket parks” which are owned and maintained by Home Owner groups and Associations.	Subdivision Regulations- pocket parks are different than county parks. HOAs can maintain .5 acre parks, the county cannot and needs larger parks to make maintenance efficient.
P.21.1	Provide adequate land area designated for commercial and industrial use to promote affordability, creating entrepreneurialism and/or businesses relocation to Flathead County.	Commercial/Industrial Zoning  Neighborhood Plans  Overall Development Plans  Rural Lands Policy and Regulation Advisory Committee
P.21.7	Support the continuation of traditional and existing industries to maintain economic	Zoning- create adequate land use designations that

	diversity.	support existing industries.
P.22.2	Promote business centers and industrial parks in areas served by sufficient infrastructure with consideration to proximity to population densities.	Commercial and Industrial Zoning.  Neighborhood Plans  Overall Development Plans  Similar to P.5.2.
P.22.3	Encourage the development of an airport industrial/business center to provide convenient access to Glacier International Airport and to foster a growing economy.	Almost EXACTLY the same as P.13.4.  Industrial/Commercial Zoning.
P.23.2	Limit private driveways from directly accessing arterials and collector roads to safe separation distances.	Subdivision Regulations, with collectors and arterials defined in the Transportation Plan.
P.23.3	Encourage local (neighborhood) roads that access directly onto collector roads.	Subdivision Regulations.
P.23.4	Recognize areas in proximity to employment and retail centers as more suitable for higher residential densities and mixed use development.	Development Predictability Map  Neighborhood Plans  Subdivision Regulations
P.23.5	Protect public safety and allow safe travel by restricting development in areas without adequate road improvements.	Development Predictability Map  Neighborhood Plans  Subdivision Regulations
P.23.6	Support land use patterns along transit corridors that reduce vehicle dependency and protect public safety.	Revisit zoning regs regarding excessive parking requirements, pedestrian facilities, and mixed use structures.
P.23.9	Adopt urban road standards and designs	Similar to P.23.12

	consistent with city road standards in county areas adjacent to cities.	Official map to ID areas of urban densities, amend road standards to include “urban standards” and include spatial cross reference in subdivision regulations.  Road Design Manual
P.23.12	Adopt urban transportation standards in areas developed to urban densities.	Similar to P.23.9  Official map to ID areas of urban densities, amend road standards to include “urban standards” and include spatial cross reference in subdivision regulations.  Road Design Manual
P.24.2	Require County road improvements to mitigate impacts directly attributable to a subdivision or development as a necessary component of that development to preserve the carrying capacity of the roadway.	Impact fees.  Subdivision Regulations
P.24.3	Require development projects to design road systems that complement planned land uses and maintain mobility on arterial roads and highways.	Subdivision Regulations.
P.24.4	Require road easement dedications for identified areas of future connectivity as subdivision developments are proposed, to serve the present and future needs of the county residents.	Official Map, after defensible prioritization in Transportation Plan, then cross reference in Subdivision Regulations
P.25.1	Encourage developments that provides functional alternative modes of travel such as bicycle and pedestrian paths.	Subdivision Regulations  Neighborhood Plans  Overall Development Plans
P.25.4	Support the expansion of the Glacier International Airport to keep pace with the	Utilize zoning to limit density around GPI.



	emerging demand for aviation services.	
P.26.1	Create design criteria for new development to ensure the safe, efficient, and effective collection and disposal of solid waste. Require all new subdivision site plans to be reviewed by the solid waste district and/or private hauler.	Subdivision Regulations
P.26.2	Encourage new subdivisions to establish centralized refuse and recycling collection sites within the development when curb-side pick-up is not feasible.	Subdivision Regulations Similar to P.14.4
P.26.3	Encourage new development to utilize contractor haul of refuse.	Subdivision Regulations Similar to P.14.4
P.26.7	Ensure that programs for junk vehicle collection and disposal are available and encourage stricter enforcement for existing laws.	Planning Staff can implement via enforcement assistance.
P.27.1	Encourage contract hauling in all new developments to reduce traffic and disposal burden at satellite container sites (green boxes).	Subdivision Regulations
P.28.1	Encourage high density development in areas that will be served by community sewer systems that treat to municipal standards.	Development Predictability Map- both to ID “high density” as well as regulate where it goes.  Neighborhood Plans  Overall Development Plans
P.28.2	Discourage development in areas not conducive to individual on-site sewage disposal systems because of flooding, ponding, seasonal high water tables, bedrock conditions, severe slope conditions or lack of access to a community sewage system.	Development Predictability Map to ID areas that are “not conducive” as well as regulate growth away from those areas.  Neighborhood Plans  Overall Development Plans

		Subdivision Regulations
P.28.7	Encourage land division served by public sewer facilities in areas of high groundwater as established by the Montana Department of Environmental Quality.	Development Predictability Map Neighborhood Plans Overall Development Plans Subdivision Regulations
P.29.1	Ensure developments comply with state regulations to provide evidence that drinking water of sufficient quantity and quality is available in areas of proposed development.	Subdivision Regulations.
P.29.2	Promote the installation of community sewer and/or water services in areas where the quantity and/or quality of drinking water resources are threatened.	Subdivision Regulations.
P.31.4	Support multi-use of schools/parks and other community meeting places.	Zoning can be used to collocate mutually beneficial uses, such as high density residential near schools so school open space can be utilized by families during summers and off times.  Neighborhood Plans
P.32.1	Require new subdivisions to have adequate on-site water capacity and recharge for fire protection.	Subdivision Regulations.
P.32.3	Recommend subdivisions located outside existing rural fire districts be annexed into the nearest district if possible.	Subdivision Regulations.
P.32.4	Ensure convenient access to and within all subdivisions for the largest emergency	Subdivision Regulations.

	service vehicles.	Flathead County Road Standards.
P.32.5	Encourage two or more subdivision access points in areas of high and extreme fire hazard.	Subdivision Regulations.
P.32.6	Encourage subdivisions to either mitigate the impacts of delayed ambulance response times or limit density of development in identified rural areas.	Development Predictability Map Neighborhood Plans Overall Development Plans Impact fees for emergency facilities. Subdivision Regulations
P.33.3	Support crime prevention through planning and community design.	Zoning and subdivision regulations that create setbacks, lighting standards, emergency access etc. all assist crime prevention.
P.34.2	Coordinate with utility providers for co-location easements to ensure adequate easement access to all current and future utilities at the time of final plat.	Subdivision Regulations.
P.34.3	Promote land use patterns that permit logical, predictable and effective extension and integration of utilities.	Development Predictability Map, Neighborhood Plans and Overall Development Plans created in communication with utility providers.  Rural Lands Policy and Regulation Advisory Committee
P.36.1	Require development to demonstrate compliance with local, State, Tribal, and Federal water quality standards, where applicable.	Subdivision Regulations

P.36.4	Require all public waste water treatment systems to meet applicable DEQ discharge standards.	The subdivision review process can be used as a checkpoint ensure compliance with existing laws.
P.36.5	Identify and encourage land development practices that do not contribute to increases in Total Maximum Daily Loads.	Water Quality/Flathead Basin Management Plan  Neighborhood Plans  Overall Development Plans  Also, zoning and/or subdivision regulations that encourage buffers to reduce non-point source pollution.
P.36.6	Support non-point source pollution reduction within the Flathead Basin watershed.	Water Quality/Flathead Basin Management Plan  Neighborhood Plans  Overall Development Plans  Also, zoning and/or subdivision regulations that encourage buffers to reduce non-point source pollution.
P.37.1	Encourage the development of innovative stormwater collection, detention and retention systems.	Water Quality/Flathead Basin Management Plan  Subdivision Regulations.
P.37.4	Encourage constructed wetlands as part of on-site drainage plans to restrict untreated storm water from entering lakes, rivers, and streams.	Water Quality/Flathead Basin Management Plan  Subdivision Regulations.  Performance standards for zoned areas.
P.38.3	Discourage development in floodway or floodway fringe that may result in a net increase in the floodplain area.	Flathead County Floodplain Regulations.

		Subdivision Regulations
P.38.5	Discourage development that displaces floodwaters within the 100-year floodplain.	Flathead County Floodplain Regulations.  Similar to P.38.3  Subdivision Regulations
P.40.2	Promote development into areas with public facilities or appropriate depth to groundwater to preserve water quality and water supply.	Development Predictability Map  Neighborhood Plans  Overall Development Plans  Zoning
P.40.3	Encourage rural residential densities or community wastewater treatment systems in areas of high groundwater, as established by MT DEQ.	Development Predictability Map  Neighborhood Plans  Overall Development Plans  Zoning
P.40.4	Encourage rural low-intensity land uses in areas of high groundwater, as defined by the MT DEQ.	Development Predictability Map  Neighborhood Plans  Overall Development Plans  Zoning
P.41.2	Discourage unmitigated development in areas identified as critical wildlife habitat.	Subdivision Regulations.
P.42.1	Promote an active and environmentally responsible timber industry utilizing sustainable practices on private and public lands.	Flathead County Natural Resource Use Policy  Rural Lands Policy and Regulation Advisory Committee

P.42.2	Encourage agricultural practices and uses which protect natural resources and allow for productive use.	Agriculture Zoning in areas needing protection of natural resources.  Rural Lands Policy and Regulation Advisory Committee
P.42.3	Recognize and respect the important history and heritage of hunting and fishing by encouraging development that creates new or preserves existing access to public lands and waters.	Subdivision Regulations
P.43.3	Encourage industrial and other land uses that do not degrade the Glacier National Park Class I air shed.	Canyon Neighborhood Plan  Zoning
P.48.6	Discourage urban-density development that lacks urban services <i>and</i> facilities.	Subdivision Regulations.  Zoning.
P.51.4	Consider relevant state and federal planning documents when reviewing development proposals that will impact federal or state lands.	Neighborhood Plans  Subdivision Regulations.

**ACTION ITEMS**

<b>Action Item</b>	<b>Implementation Method</b>
<p>P.1.1 Attempt to develop cooperative agreements with Flathead National Forest and Glacier National Park on issues including, but not limited to, local economies, adjacent land development, road status changes, access to public lands, land use planning documents, public hearings, and noxious weed alleviation and control.</p>	<p>Statement of Coordination with Federal agencies.</p>
<p>P.1.2 Attempt to develop an intergovernmental agreement to codify jurisdiction issues with the Confederated Salish and Kootenai Tribes on their land.</p>	<p>Statement of Coordination with Tribal government.</p>
<p>P.1.3 Attempt to develop cooperative agreements with the Montana Department of Natural Resources and Conservation on issues including, but not limited to, land use conversion, adjacent land development, land use planning documents, public hearings, trust land uses, public access for recreation, land acquisition and state exchanges of trust land with private and federal entities. Attempt to develop cooperative agreements with Montana Fish, Wildlife and Parks on issues including, but not limited to, public access for recreation, recreation programs and fishing access sites, among others.</p>	<p>Statement of Coordination with DNRC and FWP.</p> <p>Rural Lands Policy and Regulation Advisory Committee</p>
<p>P.1.4 Attempt to develop strategies for the County to provide meaningful advice on land use issues to the appropriate Federal, State and Tribal agencies so the County can influence decisions, which are of vital interest to County residents on the 78.6% of land in the County controlled by those agencies.</p>	<p>Flathead County Natural Resource Use Policy-Custom and Culture Document.</p> <p>Rural Lands Policy and Regulation Advisory Committee</p>
<p>P.1.5 Communication and coordination between MT DNRC Trust Lands staff and the county will allow for local and regional planning that respects the revenue</p>	<p>Statement of Coordination with DNRC and FWP.</p>

	generating needs and realizes the best use, be it development or recognized conservation opportunities.	
P.3.1	Develop an educational brochure that explains active use and management of timber lands and the impacts adjacent landowners can expect. Promote the document by distributing it to home buyers in Flathead County.	<p>“Living Near Agricultural and Silvicultural Land Uses” booklet.</p> <p>Similar to P.4.1.</p> <p>Rural Lands Policy and Regulation Advisory Committee</p>
P.3.2	Evaluate land uses and trends in agricultural and timber lands, and present ideas through research and discuss tools that could be used to encourage suitable development.	<p>Rural Lands Policy and Regulation Advisory Committee</p> <p>Neighborhood Plans.</p>
P.3.3	Maintain flexibility of land use options to forest and agriculture land owners by focusing on mitigating the negative impacts of development.	<p>Rural Lands Policy and Regulation Advisory Committee</p> <p>Overall Development Plans</p>
P.3.4	Develop equitable and predictable impact-mitigation for converting rural timber and agriculture lands to residential real estate.	<p>Rural Lands Policy and Regulation Advisory Committee</p> <p>Impact Fees</p> <p>Overall Development Plans</p>
P.3.5	Identify reasonable densities for remote, rural development that do not strain the provision of services or create a public health or safety hazard.	<p>Development Predictability Map (DPM).</p> <p>Neighborhood Plans.</p> <p>Overall Development Plans</p>
P.3.6	Identify and maintain benefits of private forest lands, including harvesting natural resources, water quality protection, wildlife habitat and traditional recreational values and ensure that conversion of private forest lands preserves as many of these benefits	Rural Lands Policy and Regulation Advisory Committee



	as is possible.	
P.3.7	Adopt techniques that mitigate the threat to public health and safety created by various developments near the Wildland Urban Interface (WUI)	Subdivision Regulations and “Wildland Urban Interface” (WUI) Zoning Overlay  Rural Lands Policy and Regulation Advisory Committee
P.3.8	Encourage federal and state agencies to actively manage timber lands to reduce fire hazard and increase positive local economic impacts of timber harvesting.	Flathead County Natural Resource Use Policy-Custom and Culture Document.
P.4.1	Develop an educational brochure that explains agriculture and agricultural practices and the impacts adjacent landowners can expect. Promote the document by distributing it to home buyers in Flathead County.	“Living Near Agricultural and Silvicultural Land Uses” booklet.  Similar to P.3.1.  Rural Lands Policy and Regulation Advisory Committee
P.4.2	Identify lands most suited to agriculture (appropriate soils, access to water, shape and size of parcels etc.).	Rural Lands Policy and Regulation Advisory Committee  Neighborhood Plans.  Overall Development Plans
P.4.3	Identify a desirable gross density for rural residential development that retains land values, preserves the agricultural character of the community and allows for efficient provision of government services (law enforcement, fire protection, transportation, etc.)	Development Predictability Map (DPM).  Neighborhood Plans.  Overall Development Plans
P.4.4	Identify and encourage subdivision layouts that retain value of land without negatively impacting the rural character and agricultural activities.	Rural Lands Policy and Regulation Advisory Committee  Subdivision Regulations

P.4.5	Develop equitable and predictable impact-mitigation for converting agricultural lands to residential uses.	Rural Lands Policy and Regulation Advisory Committee  Neighborhood Plans.  Overall Development Plans  Impact fees for county facilities impacted by rural development.  Subdivision Regulations
P.4.6	Develop proposals for community-based incentives for farmers and forest landowners to maintain farms/forest in order to share the cost of preserving the custom, culture, and character of agriculture in Flathead County	Rural Lands Policy and Regulation Advisory Committee  Neighborhood Plans.  Subdivision Regulations
P.4.7	Create an agricultural/private timber lands board, with significant representation from the ag/timber community and the Flathead County Planning Board, to propose plans for conserving working farms and ranches, clean water and key wildlife habitat.	Rural Lands Policy and Regulation Advisory Committee
P.4.8	If allowable, develop and adopt a Right to Farm/Harvest Ordinance and other policies as needed to support the viability of the agriculture/forestry industry in Flathead County.	Rural Lands Policy and Regulation Advisory Committee  No county ordinances dealing with this issue are authorized under statute.
P.5.3	Identify trends in industrial land uses and determine the amount of land needed in the future at a variety of growth rates. Utilize these figures when determining land use regulations.	Growth Policy Amendment-Identify trends in text of document and modify P.5.3 into a policy based on those trends. Implement with Industrial Zoning.  Neighborhood Plans.

		Rural Lands Policy and Regulation Advisory Committee
P.5.4	Identify “objectionable impacts” of industrial uses and determine desirable distance thresholds and buffers from other land uses.	Growth Policy Amendment-Identify requested thresholds and modify P.5.4 into a policy. Implement with Industrial Zoning.  Neighborhood Plans.
P.6.3	Provide ample commercial land designation to promote affordability.	Neighborhood Plans.  Overall Development Plans  Commercial Zoning  Rural Lands Policy and Regulation Advisory Committee
P.7.1	Determine commercial development features that support the seven elements of the Flathead County vision detailed in Chapter 1: The Character of Flathead County.	Growth Policy Amendment  Neighborhood Plans.  Overall Development Plans
P.7.2	Develop regulations that promote P.7.1 and mitigate the negative impacts of commercial development.	Growth Policy Amendment and implement with Commercial Zoning
P.7.4	Identify existing areas that are suitable for impact-mitigated commercial uses.	Neighborhood Plans.  Overall Development Plans  Zoning  Rural Lands Policy and Regulation Advisory Committee
P.7.5	Encourage commercial development that is visually and functionally desirable.	Growth Policy Amendment to define “visually and functionally desirable” then

		Commercial Zoning combined with Design Standards.  Neighborhood Plans.  Overall Development Plans  Subdivision Regulations
P.8.2	Identify required criteria for various densities that support the seven elements of the public's vision outlined in Chapter 1.	Development Predictability Map  Neighborhood Plans.  Overall Development Plans  Zoning  Rural Lands Policy and Regulation Advisory Committee
P.8.3	Create maps that spatially represent the criteria identified in P.8.2.	Development Predictability Map  Neighborhood Plans.  Overall Development Plans  Rural Lands Policy and Regulation Advisory Committee
P.8.4	Set clear standards for amending development guidelines.	Ensure that each regulatory implementation has amendment criteria.
P.9.1	Identify open spaces that serve a critical role in public and environmental health, safety and general welfare.	Growth Policy Amendment to include requested info, instead of creating a new plan.  Neighborhood Plans.  Overall Development Plans

		Rural Lands Policy and Regulation Advisory Committee
P.9.2	Create regulatory incentives for the preservation and protection of open spaces during the development process.	Rural Lands Policy and Regulation Advisory Committee  Zoning Regulations  Subdivision Regulations
P.9.3	Consider and develop specifications for various buffers to protect open spaces.	Rural Lands Policy and Regulation Advisory Committee  Subdivision Regulations  Zoning Regulations  Floodplain Regulations  Lakeshore Regulations.
P.10.3	Encourage impact-mitigated development in areas of shallow groundwater. Use test holes or bore holes and best available data to determine areas of shallow groundwater.	Water Quality/Flathead Basin Management Plan  Growth Policy Amendment to define “impact-mitigated development” and “areas of shallow groundwater.” Implement with subdivision regulations.
P.10.6	Develop reasonable and fair criteria for identifying and preserving structures, artifacts and areas with cultural and historical significance to the residents of Flathead County. Such criteria shall not be used to prohibit development, but rather to encourage development that incorporates and protects these areas for future generations.	Subdivision Regulations  Neighborhood Plans  Overall Development Plans
P.11.1	Identify critical gateway areas that provide	Growth Policy Amendment

	lasting impressions of Flathead County to both residents and visitors.	to ID requested areas.  Neighborhood Plans
P.11.2	Identify impacts of development that threatens gateway areas and develop land use guidelines that mitigate these impacts without prohibiting development.	Growth Policy Amendment to ID requested impacts and implement with zoning in areas ID'd in P.11.1.
P.11.3	Determine road and recreational waterway corridors with scenic resources that are valued by both residents and visitors.	Growth Policy Amendment to ID requested areas.  Neighborhood Plans
P.11.4	Create incentives for developments that consider the scenic settings, incorporate design and construction standards that harmonize and complement the local views, and where possible, provide incentives for excellent architectural design.	Zoning combined with PUD incentives.  Overall Development Plans
P.11.5	Develop guidelines to ensure that lighting should not destroy the reasonable enjoyment by all residents of the night skies.	Add lighting performance standards to existing zoning regs, and zone unzoned areas.
P.12.2	Identify areas of significant mineral resource deposits and develop accurate maps reflecting these areas.	Mineral Resource Extraction Plan  Neighborhood Plans  Rural Lands Policy and Regulation Advisory Committee
P.12.3	Create land use policies that segregate existing and future gravel extraction operations from incompatible land uses.	Mineral Resource Extraction Plan or Neighborhood Plan, then implement with zoning.  Rural Lands Policy and Regulation Advisory Committee
P.12.4	Develop policies to mitigate the impacts of	Mineral Resource

	mineral resource extraction. These may include road maintenance, dust abatement or vegetative buffers.	Extraction Plan or Neighborhood Plan, then implement with zoning.
P.13.1	Utilize future expansion plans of Glacier International Airport to create a land use designation that protects both the economic significance of the airport and the safety of neighbors and passengers.	Create the land use designation (zone) and implement it around the airport.
P.13.2	Provide predictability to landowners neighboring the airport by designating growth areas.	Use zone developed for P.13.1 to designate growth areas.
P.13.5	Coordinate and cooperate with GPI on the Glacier Park International Airport Master Plan.	Communicate with GPI on land use designation development (see P.13.1).
P.14.2	Identify all suitable solid waste disposal options available to the County and implement a strategy to assure capacity is secured to meet future demands.	Solid Waste District Strategic Plan
P.14.3	Aesthetically screen satellite refuse collection sites (green boxes) and licensed junk vehicle collection sites to reduce the spread of litter and mitigate objectionable views.	Solid Waste District Strategic Plan  Compliance with state law-junk vehicle program.
P.16.2	Create an affordable housing plan for the county which includes evaluating the need for a county housing committee and establishing coordination between the county and the cities of Columbia Falls, Kalispell, and Whitefish.	Affordable Housing Plan
P.16.6	Consider the advisability of adopting a building inspection procedure for new residential construction.	Building Department Feasibility Analysis
P.16.7	Identify areas suitable for quality mobile home park development.	Growth Policy text amendment to determine desirable locations for mobile homes (access, proximity to employment, commercial services, etc.)

		then zoning to promote mobile home park development in appropriate areas.
P.17.4	Develop zoning and design standards for Class A manufactured housing.	Update existing zoning.
P.17.5	Encourage the establishment of public/private partnerships as a method to offer financing to first time homebuyers.	Affordable Housing Plan
P.17.6	Establish affordable housing standards for developing infrastructure that would reduce the cost of affordable lots while maintaining the character of the projects.	Affordable Housing Plan
P.17.7	Develop criteria for developers to meet to qualify for affordable housing incentives.	Affordable Housing Plan
P.18.1	Acquire park and leisure facilities now to serve the future needs of the county, particularly water-based parks which provide public access to lakes, rivers and streams.	Parks and Recreation Master Plan.
P.18.3	Ensure existing parks and recreational facilities are operated and maintained in quality condition for use by the general public.	Parks and Recreation Master Plan to increase maintenance and acquisition efficiency.
P.18.4	Develop strategies to fund, operate, and maintain new parks and recreational facilities.	Parks and Recreation Master Plan.
P.18.5	Utilize the comprehensive Parks and Recreation Master Plan to guide the expansion of the park system to meet the needs and expectations of the growing public. Update the Parks and Recreation Master Plan at a minimum of every five years from the date of adoption, to ensure the plan is current.	Parks and Recreation Master Plan.
P.18.6	Preserve and increase recreational access to public lands and waterways by procuring	Parks and Recreation Master Plan.



	necessary land, easements, or rights of way.	Neighborhood Plans  Overall Development Plans  Official Mapping  Rural Lands Policy and Regulation Advisory Committee
P.18.7	Create a committee to determine and prioritize areas for bike path easement acquisition and construction, prioritize use of funds, guide grant applications, identify roads that should have bicycle lanes, determine maintenance funding mechanisms, and set county-wide bicycle path/lane construction standards.	In general, bicycles are used in Flathead County for two purposes; recreation and transportation.  Transportation Plan  Parks and Recreation Master Plan.
P.19.1	Encourage parks, planning, maintenance and development coordination with other local jurisdictions, state, and federal agencies.	Parks and Recreation Master Plan. (communication during development)  Neighborhood Plans  Overall Development Plans  Official Mapping
P.19.2	Participate with developing partnerships, community civic groups and organizations, private sector building and development industry, and others interested in parks and recreation activities.	Broad community participation in Parks and Recreation Master Plan.
P.19.4	Recognize riparian buffers for their recreational value and their ability to protect the quality of water along major streams and rivers in the County in order to enhance recreational opportunities, protect the quality of water (reduce erosion; surface runoff containing pesticides, fertilizers, etc.; stream bank depredation/defoliation; etc.) and their	Growth Policy amendment to identify riparian corridors critical to water quality, wildlife habitat and migration, and recreation access.  Subdivision Regulations

	ability to protect the natural aesthetics of waterways.	
P.19.5	Develop County Parks in conjunction with public or private schools whenever possible.	Parks and Recreation Master Plan.
P.19.6	Develop standards, procedures, and requirements for the preparation, review, and adoption of neighborhood and subdivision park plans.	Parks and Recreation Master Plan.  Once developed, include in Subdivision Regulations.
P.20.1	Provide for and acquire new lands and indoor/outdoor recreation and park facilities as outlined in the comprehensive Parks and Recreation Master Plan to keep pace with expanding population and demand.	Parks and Recreation Master Plan.  Implement with mechanisms for purchase of park lands and construction of facilities, once priorities are established in plan.
P.21.2	Develop methods to enhance a sustainable agricultural and timber industry through community-based incentives.	Rural Lands Policy and Regulation Advisory Committee
P.21.3	Foster business development as a method to provide employment and locally produced goods and services to meet the needs and demands of local communities and to provide region specific export goods.	Economic Development Authority
P.21.4	Promote education and work force development programs to better prepare current and future generations for high quality job opportunities and to provide employers with quality and dependable workers.	Economic Development Authority
P.21.5	Utilize economic development authorities to attract relocation or startup of businesses that offer competitive wages and job opportunities for those with a range of educational backgrounds.	Flathead County Economic Development Authority

P.22.1	Identify infrastructure needs of the various business types and identify areas of the County which can best suit those needs.	Growth Policy amendment to ID needs and areas, then zoning to put those uses where the infrastructure exists to accommodate them.
P.22.4	Consider the infrastructure needs of local businesses when prioritizing development of new county facilities.	Capital Improvements Plan (CIP)
P.23.7	Develop a transportation grid system that minimizes environmental impacts to developed and natural areas.	Transportation Plan Official Map
P.23.8	Promote coordinated and cooperative transportation planning with Kalispell, Columbia Falls, Whitefish and Montana Departments of Transportation and the Department of Natural Resources and Conservation.	Transportation Plan
P.23.10	Encourage frontage roads where needed and internal vehicle circulation roads for development outside of urban areas.	Transportation Plan Official Map Neighborhood Plans Subdivision Regulations
P.23.11	Plan for and pursue opportunities for the development of additional east-west transportation corridors, especially between U.S. Highways 2, 93 and MT Highway 206.	Similar to P.24.4 Transportation Plan Official Map
P.24.1	Ensure that identified functional class, road easement width, and condition of existing transportation facilities are adequate	Transportation Plan Neighborhood Plans Overall Development Plans
P.24.5	Attempt to develop cooperative agreements with the Montana Department of Transportation and the United States Federal Highway Administration to	Transportation Plan followed by zoning reviewed by MDOT to direct various land uses to

	promote coordination of land use and transportation planning and the efficient use of transportation facilities.	areas most suited to accommodate traffic and safety concerns.
P.24.6	Develop a comprehensive countywide transportation plan to categorize current needs and to identify future needs.	Transportation Plan
P.24.7	Develop uniform system of prioritization for road improvements and maintenance.	Transportation Plan
P.24.8	Develop a Dust Abatement Program to mitigate dust impact from traffic on county roads as funding and resources allow.	Transportation Plan Impact Fees for road facilities Subdivision Regulations
P.25.2	Identify and prioritize areas for a predictable regional and interconnected bicycle path network and require pedestrian/bicycle easements on both sides of identified county roads. Encourage developments that aid and/or connect to this network.	Parks and Recreation Plan, then implement with Official Map. Tied to Subdivision Regulations
P.25.5	Determine and prioritize areas for bike path easement acquisition and construction, prioritize use of funds, guide grant applications, identify roads that should have bicycle lanes, determine maintenance funding mechanisms, and set county-wide bicycle path/lane construction standards.	Same as P.25.2 Parks and Recreation Plan, then implement with Official Map. Tied to Subdivision Regulations
P.26.4	Recommend solid waste containers in rural areas to utilize measures such as animal-proofing, and encourage public education on disposal methods to discourage the attraction of wildlife.	Flathead County Solid Waste District Strategic Plan.
P.26.5	Promote and encourage increased opportunities for community recycling through recycling pilot programs and the initiation of public-private partnerships.	Flathead County Solid Waste District Strategic Plan. Same as P.27.3

P.26.6	Encourage safe disposal of household hazardous wastes through education and collection programs.	Flathead County Solid Waste District Strategic Plan.
P.26.8	Recommend impacts to the local community be mitigated at the time of construction, improvement, or consolidation of a green box collection facility by encouraging visual screening, safety improvements and dust mitigation measures.	Flathead County Solid Waste District Strategic Plan.
P.27.2	Perform a needs analysis to assess current and future levels of service to provide cost effective and efficient solid waste collection services within the County.	Flathead County Solid Waste District Strategic Plan.
P.27.3	Encourage county-wide recycling program(s) to reduce the rate at which landfill approaches maximum capacity.	Flathead County Solid Waste District Strategic Plan.  Same as P.26.5
P.27.4	Explore new funding mechanisms for continued solid waste disposal activities as well as future expansion.	Flathead County Solid Waste District Strategic Plan.
P.28.3	Prepare a comprehensive water quality management plan for the county.	Water Quality/Flathead Basin Management Plan
P.28.4	Initiate the development of a regional wastewater treatment plan.	Wastewater Management Plan
P.28.5	Work to engage water and sewer districts in the county development processes.	Wastewater Management Plan  Also continue agency referrals.
P.28.6	Encourage wastewater treatment facilities and technologies adequate to meet or exceed water quality standards.	Wastewater Management Plan- But possibly “Neither” due to water quality standards being set by other agencies independent of the land use planning process.

P.29.3	Identify wellhead protection areas for public wells and land uses in those areas should be limited as to limit the risk of drinking water contamination.	Water Quality/Flathead Basin Management Plan  Zoning
P.29.4	Support land uses and subdivision activities that do not threaten drinking water sources.	Water Quality/Flathead Basin Management Plan  Zoning
P.30.1	Identify areas of higher susceptibility to impacts from septic systems due to soils, depth to groundwater, proximity to sensitive surface waters, topography, and/or density of development.	Neighborhood Plans  Overall Development Plans  Water Quality Management Plan and zoning to implement.
P.30.2	Determine the feasibility of a countywide wastewater management plan for the maintenance and management of septic systems.	Wastewater Management Plan
P.30.3	Develop an educational brochure that explains the appropriate management of septic systems and the impacts associated with inadequate management. Promote the document by distributing it to home owners and home buyers in Flathead County.	Distribute pamphlet in FCPZ office available from MT DEQ.
P.31.3	Determine common characteristics of developments most likely to add school children to the local schools and identify incentives for projects to mitigate impacts.	Subdivision Regulations-bonus densities for subdivisions with identified characteristics that donate land to schools. Doesn't seem to violate 76-3-608 M.C.A.  Possibly impact fees for school facilities, although it could be argued that impact fees are not "incentives" per se.
P.32.7	Identify target level of service (LOS) for	Emergency Service Plan(s)

	emergency 911 call processing and work to achieve and maintain that target as growth occurs. This should include security, survivability and redundancy of facilities and services.	created in conjunction with service providers.
P.33.1	Create a seamless emergency response system through a regional 911 emergency response provider network.	Emergency Service Plan(s) created in conjunction with service providers.
P.33.2	Attempt to increase the current ratio of patrol officers per 1,000 residents to meet the growing number of calls for assistance.	Emergency Service Plan(s) created in conjunction with service providers.
P.33.4	Develop a comprehensive public response plan for sheriffs and fire districts to support growth and development in the county.	Emergency Service Plan(s) created in conjunction with service providers.
P.34.1	Add appropriate agencies to the referrals during the subdivision review process.	Subdivision Regulations.
P.34.4	Establish standardized regulations for wireless and fiber optics communications infrastructure that ensure the following are maintained: public health, safety, general welfare, convenience, natural resources, and the visual environment/appearances.	Cell tower zoning and transportation planning for expansion of rights of way to accommodate fiber optic cables.
P.35.1	Establish public/private partnerships to develop a Flathead basin watershed management plan using scientific data to determine critical areas and evaluate the impacts of future development on water quantity and quality.	Water Quality/Flathead Basin Management Plan  Rural Lands Policy and Regulation Advisory Committee
P.35.2	Provide improved educational information to landowners on the importance of buffers and restoration techniques to reduce nutrient loading to water resources.	Distribution of brochures available from Montana Fish, Wildlife and Parks and Department of Natural Resources and Conservation.
P.36.2	Review and revise the Lakeshore Protection regulations to include consideration of potential harm caused by	75-7-202 M.C.A. might preclude extension of Lakeshore Protection Zone-

	fertilizers and pesticides entering lakes, streams and rivers.	implementation might require legislative work.
P.36.3	Investigate the feasibility of a regional wastewater treatment system. Ensure that the regional wastewater treatment plan protects the Flathead Watershed.	Wastewater Management Plan
P.36.7	Identify critical aquifer recharge areas in Flathead County and land uses in these areas that protect water quantity and quality.	Water Quality/Flathead Basin Management Plan  Possible Growth Policy Amendment to include a map of these areas.  Rural Lands Policy and Regulation Advisory Committee
P.37.2	Develop and provide educational information to individuals, organizations, and neighborhood associations regarding storm water management and the importance of proper storm water management practices.	These pamphlets are already available from the MDEQ.
P.37.3	Develop best management practices (BMPs) and setback requirements for development projects that impact water bodies. This may include vegetative buffer strips along stream sides and riverbanks, and the use of sedimentation barriers.	Water Quality/Flathead Basin Management Plan  Subdivision Regulations
P.38.1	Adopt FEMA maps and existing floodplain studies as they become available.	Flathead County Floodplain Regulations.
P.38.2	Review and revise floodplain regulations as necessary. Consider appropriate setback requirements from floodplain.	Flathead County Floodplain Regulations.  Subdivision Regulations
P.38.4	Consider density guidelines in the floodplain regulations.	Development Predictability Map  Neighborhood Plans



		Overall Development Plans Subdivision Regulations
P.39.1	Use scientific studies to identify locations of riparian areas and delineated wetlands.	Development Predictability Map  Neighborhood Plans  Overall Development Plans  Water Quality/Flathead Basin Management Plan
P.39.3	Develop regulations that restrict development in jurisdictional wetlands and riparian areas.	When combined with 39.1, could be implemented (once identified) with overlay zones, zoning, or subdivision regulations.
P.39.4	Develop best management practices (BMP's) and setback requirements for development to mitigate adverse impacts to sensitive wetland and riparian areas.	Water Quality/Flathead Basin Management Plan  Subdivision Regulations  Similar 37.3  Rural Lands Policy and Regulation Advisory Committee
P.40.1	Use scientific studies to identify locations over shallow aquifers.	Water Quality/Flathead Basin Management Plan  Development Predictability Map  Neighborhood Plans  Overall Development Plans  Possible Growth Policy Amendment to include map of these areas.
P.41.1	Develop an educational brochure that	Distribute brochures in the

	explains “Living with Wildlife” concepts and the impacts landowners can expect when living in rural areas of the County. Promote the document by distributing it to home buyers and home owners in Flathead County.	FCPZ office available from Montana FWP.
P.43.1	Implement the existing Flathead County Air Pollution Plan, adopted December 16, 1996 and revised January 17, 2008, into development standards. Any new plans should be considered for inclusion through a public process.	Subdivision Regulations  Zoning performance standards.
P.43.2	Prioritize and perform road-surfacing and dust abatement projects to reduce airborne dust generated from gravel-surfaced roads.	Transportation Plan  Capital Improvements Plan  Impact Fees
P.45.1	Develop expedited and simplified subdivision and development review processes for lands within the jurisdiction of an approved neighborhood plan that has been reviewed for consistency with the growth policy.	Neighborhood Plans AND Zoning, subject to 76-3-608(6) M.C.A.  Tied to Subdivision Regulations  Overall Development Plans
P.45.2	Develop a guide to assist landowners and residents who desire a neighborhood plan to develop a plan that implements the character of the neighborhood and fulfills the needs of identified by the community.	Planning Office develops guide for distribution.
P.45.3	Ensure a clear majority of both landowners and acreage represented within the established boundary of a neighborhood plan [described in Step 1 of the neighborhood planning process] are in support of a proposed neighborhood plan by following the process outlined in this chapter. Steps 1 through 6 of the neighborhood planning process provide a mechanism by which the Planning Board	Neighborhood Plans

	can recommend denial of a plan to the commissioners due to lack of support if a clear majority of landowners within the planning area boundary do not support the plan.	
P.45.4	Ensure checks and balances throughout the neighborhood planning process by establishing an option whereby a plan adopted by the County Commissioners may be repealed should written protest be submitted within 90 days following the adoption date by 40% of landowners within the neighborhood plan area whose names appear on the last completed assessment role, or by landowners representing 50% of the acreage included within the neighborhood plan boundary.	Neighborhood Plans
P.45.5	Establish a Commission-approved advisory committee for each approved neighborhood plan, comprised of landowners and residents representing diverse elements of the plan area.	Neighborhood Plans
P.46.1	Ensure previously existing neighborhood plans remain in effect until revised by the Flathead County Board of Commissioners by incorporating those existing plans into the Growth Policy as addenda deemed consistent with the existing Growth Policy.	Neighborhood Plans
P.46.2	Enable the Flathead County Planning Board and the Planning and Zoning Office to periodically review existing neighborhood plans to determine whether the County and the landowners in the neighborhood plan area should update the neighborhood plan.	Neighborhood Plans
P.46.3	Initiate a neighborhood plan amendment and/or update when the County Commissioners approve a recommendation by the Flathead County Planning Board that a neighborhood plan should be updated.	Neighborhood Plans

P.46.4	Apply expedited subdivision and development review processes to existing neighborhood plan areas.	Neighborhood Plans AND Zoning, subject to 76-3-608(6) M.C.A.  Subdivision Regulations  Same as P.45.1  Overall Development Plans
P.47.1	Uphold the provisions of the existing interlocal agreement between Flathead County and the City of Columbia Falls.	Regular updates of interlocal agreement.
P.47.2	Maintain communication on planning issues adjacent to the interlocal agreement boundary.	Agency referral process
P.47.3	Review the provisions of the interlocal agreement for adequacy, accuracy and relevancy annually and revise as necessary.	Regular updates of interlocal agreement.  Same as P.47.1
P.47.4	Encourage a statement of coordination on planning issues between the County and Columbia Falls	Prepare a statement.  Similar to P.47.1 and P.47.3- an interlocal agreement is very similar to a statement of coordination.
P.48.1	Work with the City to identify areas around Kalispell appropriate for high density, urban development.	Interlocal Agreement or Zoning amendments developed with Kalispell.  Development Predictability Map
P.48.2	Share plans for guiding growth away from hazardous and/or unhealthy lands.	Zoning amendments developed with Kalispell.
P.48.3	Identify areas most appropriate to be served by Kalispell or county sewer and water services. Share plans for extension of sewer and water facilities to increase the predictability of the community	Kalispell/County Neighborhood Plan.

	development process.	
P.48.4	Work with the City to identify areas around Kalispell appropriate to preserve through open-space development design incentives or acquisition of land for natural and/or recreation areas.	Kalispell/County Neighborhood Plan.
P.48.5	Work with the City to identify areas around Kalispell likely to be annexed and appropriate for development to urban density, service and facility standards.	Kalispell/County Neighborhood Plan.
P.48.7	Encourage a statement of coordination on planning issues between the County and Kalispell.	Prepare a statement.
P.49.1 <sup>2</sup>	Promote representation by county officials of those residents outside the City of Whitefish, while giving consideration to both the interests of those residents as well as the growth needs of the City of Whitefish during county planning processes.	Flathead County shall administer all planning and zoning, subdivision review, lakeshore protection regulations, and floodplain regulations outside Whitefish city limits.  Standard adjacent property notification as well as legal notices.
P.49.2	Request comments from the City of Whitefish agencies on subdivision, zoning and other land use issues within 2 miles of city limits and give consideration to those comments during the county review process.	Agency referral process
P.49.4	Encourage a statement of coordination on	Prepare a statement.

<sup>2</sup> As of the date of adoption, the County and the City of Whitefish remain in litigation concerning the authority for regulating land development within the extraterritorial jurisdiction around the City of Whitefish as such jurisdiction is identified in the 2005 and 2010 Interlocal Agreements between the parties. Until the litigation is resolved, other than re-numbering what was Goal 48 to Goal 49, no amendments are being made to the Growth Policy pertaining to the extraterritorial jurisdiction and the language of this policy, and all policies accompanying Goal 49 (P.49.1 through P.49.4) regarding Whitefish remains the same as it was on 10/20/08 per Resolution #2015H. The County's decision to refrain from enacting amendments should not be interpreted as an endorsement or reaffirmation of the accompanying policies. Rather, the County is delaying consideration of these accompanying policies until the litigation is complete.

	planning issues between the County and Whitefish.	Similar to P.49.1 and P.49.3- an interlocal agreement is very similar to a statement of coordination.
P.50.1	Develop an intergovernmental agreement clarifying and codifying all jurisdiction, communication and coordination issues on lands within both the Flathead Indian Reservation and Flathead County as well as tribally-owned lands outside the Flathead Indian Reservation.	Intergovernmental Agreement
P.50.2	Communicate on development occurring near and/or on lands designated as culturally significant to the Confederated Salish and Kootenai Tribes.	Subdivision Regulations-require “cultural clearance” from the tribe.
P.50.3	Provide for cultural clearance of development sites in Flathead County where defined Indian artifacts are uncovered during development, as part of the intergovernmental agreement.	Subdivision Regulations-require “cultural clearance” from the tribe.  Similar to P.50.2
P.51.1	Actively participate in the process of planning for federal and state lands, communicating regularly on issues of importance to Flathead County residents and providing input to state and federal agencies on the effectiveness of existing plans.	All plans once adopted by Flathead County could be considered “active participation” that communicate to the federal and state land managers the issues of importance to residents of Flathead County.
P.51.2	Regularly review and update the accuracy and relevance of the “Flathead County Natural Resource Use Policy, Custom and Culture Document.”	“Flathead County Natural Resource Use Policy, Custom and Culture Document.”  Rural Lands Policy and Regulation Advisory Committee
P.51.3	Pursue a “statement of coordination” with state and federal land management	Statement of Coordination

agencies, clarifying and codifying relevant jurisdictional issues including, but not limited to, fire response, fuel reduction, emergency services, road usage and access, water resources, timber, agriculture, noxious weeds and recreation access.	
---	--

DRAFT

**NEITHER**

<b>Neither</b>	<b>Reason</b>
P.2.1 Create land use regulations that are directly linked to the vision outlined in the Growth Policy.	Land use regulations are required under MT law to be linked to the growth policy. Implementation method would be “compliance with state law.”
P.2.2 Regulatory and fiscal implementation of the Growth Policy should protect the public health, safety, morals, convenience, order, or general welfare in the process of community development (76-1-106, M.C.A.).	The Planning Board implements the Growth Policy and functions according to law cited. Implementation method would be “compliance with state law.”
P.8.1 Create reasonable, flexible and predictable development guidelines based on accurate, fair and reasonable criteria.	This is a general statement, more of a goal than a policy.
P.12.1 Identify areas of known sand and gravel resources.	Same as P.12.2., but less specific.
P.12.8 Require compliance with existing local, state and federal laws regarding oil, gas, and mineral exploration or production.	Flathead County can only administer those laws that are within our statutory jurisdiction.
P.14.5 Consider existing adjacent or nearby private or public solid waste collection facilities during the development process.	There is only one solid waste collection facility in Flathead, and all areas of the county are served by private contract hauling per PSC requirements. Also, the policy does not give indication of what to consider, such as distance, capacity, cost, etc. of these facilities. No guidance is given by this policy.
P.15.1 Encourage housing, employment, education and recreation to attract, support and maintain young families.	This policy is too broad to be effectively implemented. Affordable housing, entry



		level professional jobs, higher education opportunities and youth-oriented recreation programs are all addressed in other more specific policies in the document.
P.15.3	Promote and respect the culture, heritage and history of Flathead County residents.	Similar to P.8.1, this is a general goal statement and does not provide specific guidance for growth issues in Flathead County. The policy is certainly an important statement, but is not implementable with specific actions.
P.16.4	Consider the locational needs of various types of housing with regard to proximity of employment, access to transportation and availability of public services.	This policy does not offer guidance. Its intent would be better understood if combined with P.16.3 to offer guidance for locating prime sites to encourage affordable housing.
P.16.5	Promote the rehabilitation of historic and/or architecturally significant structures for the purpose of conversion to housing.	Implementing this policy is not feasible in Flathead County within the foreseeable future. A fine statement and worthy policy, but actually implementing it would require oversight and “incentivizing” of the building process.
P.20.2	Maintain the current level of recreation services by providing innovative programs geared towards a diverse demographic of county residents (children, adults, seniors, etc.).	This is more accurately a goal statement, to be included in the Parks and Recreation Master Plan, followed by policies detailing how it would be accomplished.
P.21.6	Preserve the natural amenities that	This is more of a goal

	characterize the county in order to attract industries and businesses that maintain the high quality of life that attracts visitors and new residents, and sustains the tourism sector of the economy.	statement. This is a very important goal, but is too broad to be implementable.
P.23.1	Manage land use and the transportation system as a unified and coordinated system to ensure that one does not outpace the other.	This is more of a goal. The policies would be how this is to be accomplished.
P.23.9	Adopt urban road standards and designs consistent with city road standards in county areas adjacent to cities.	Not realistic to implement. If a property is adjacent to a city and the density is such that ag is appropriate, then they will likely annex to get sewer and water. Historically, there has been no county support for requiring curb, gutter, sidewalks and streetlights in projects near cities due to cost to developer.
P.25.3	Support the partnership between Eagle Transit, the State of Montana and the National Park Service to develop a joint transit system that services both Glacier National Park and the residents of Flathead County.	Not implementable in a Land Use plan.
P.31.1	Consider a school district's ability to accommodate new students as part of the proposed subdivision review process.	Possibly illegal- see 76-3-608 M.C.A. Consider removing.
P.31.2	Consider the needs for future school building sites as development occurs.	Future sites for schools should be considered WELL in advance of development, so as to fairly and predictably secure locations during the development process. Considering ANY future needs can't be done "as development occurs."
P.32.2	Support mutual aid agreements between	A land use plan cannot

	rural and municipal fire districts.	implement mutual aid agreements, nor is there a mechanism to “support mutual aid agreements.”
P.39.2	Encourage educational programs on voluntary conservation strategies for private property owners.	Difficult to implement through a regulatory land use process- more of a private task for non-profits. Possibly implemented by distributing brochures in the Planning Office.
P.40.5	Develop incentives to encourage failing and polluting septic systems to be upgraded.	Failing and polluting systems are the jurisdiction of MDEQ and there is very little land use regulations or plans can do to “incentivize” replacement of these systems.
P.40.6	Encourage educational programs on septic system impacts to groundwater and surface water quality for neighborhood associations and other organizations to utilize.	FCPZ is unlikely to provide resources to encourage programs that are the primary jurisdiction of another county office/state agency.  Possible partial implementation by distributing brochures in the Planning Office.  Similar to P.30.3
P.49.3 <sup>3</sup>	Protect and preserve the many unique opportunities present in the natural and human environment.	Too vague to be implemented effectively.

<sup>3</sup> As of the date of adoption, the County and the City of Whitefish remain in litigation concerning the authority for regulating land development within the extraterritorial jurisdiction around the City of Whitefish as such jurisdiction is identified in the 2005 and 2010 Interlocal Agreements between the parties. Until the litigation is resolved, no amendments are being made to the Growth Policy pertaining to the extraterritorial jurisdiction and the language of this policy, and all policies accompanying Goal 49 (P.49.1 through P.49.4) regarding Whitefish remains the same as it was on 10/20/08 per Resolution #2015H. The County’s decision to refrain from enacting amendments should not be interpreted as an endorsement or reaffirmation of the accompanying policies. Rather, the County is delaying consideration of these accompanying policies until the litigation is complete.

--	--

DRAFT

## PART 2: Implementation Methods

In Part 1 of this document, numerous methods for implementing policies and action items are listed. Chapter 10 of the Flathead County Growth Policy entitled “Implementation Strategy” lists many of these methods. Others are specifically authorized under Montana law and need not be specifically mentioned in the Growth Policy. Still others are proposed in Part 1 for the first time and will be appended to the Growth Policy with the adoption of this document.

For clarity and better understanding of the implementation scope of work, all implementation methods are listed below. Methods are divided into Non-Regulatory and Regulatory lists and further identified as either “Existing in Growth Policy” or “Proposed as New Implementation Method.”

<b>Non-Regulatory Implementation Method</b>	<b>Authorization Status</b>
Neighborhood Plans <sup>4</sup>	Existing In Growth Policy
Overall Development Plans*	Proposed as New Implementation Method (See Part 3)
Mineral Resource Extraction Plan	Existing In Growth Policy
Growth Policy Text Amendments	Existing In Growth Policy
Parks and Recreation Master Plan.	Existing In Growth Policy
Transportation Plan	Existing In Growth Policy
Water Quality/Flathead Basin Management Plan	Existing In Growth Policy
Flathead County Natural Resource Use Policy	Existing In Growth Policy
Distribution of educational materials	Existing In Growth Policy
Rural Lands Policy and Regulation Advisory Committee	Proposed as New Implementation Method (See Part 3)
Affordable Housing Plan	Existing In Growth Policy
Building Department Feasibility Analysis	Proposed as New

<sup>4</sup> Although Neighborhood Plans and Overall Development Plans can be used to implement much of the Growth Policy, it is important to note that these plans individually cover limited areas of Flathead County. Some implementation requires county-wide planning, such as the Parks and Recreation Master Plan or the Wastewater Management Plan.

	Implementation Method (See Part 3)
Economic Development Authority	Existing In Growth Policy
Capital Improvements Plan	Existing In Growth Policy
Flathead County Solid Waste District Strategic Plan.	Proposed as New Implementation Method (See Part 3)
Wastewater Management Plan	Existing In Growth Policy
Emergency Service Plan(s)	Existing In Growth Policy

**Regulatory Implementation Method****Existing or Proposed Authorization**

Official Map	Existing In Growth Policy
Lakeshore Regulations.	Existing in M.C.A.
Statements of Coordination/Interlocal Agreements	Existing In Growth Policy
Road Design Manual	Proposed as New Implementation Method (See Part 3)
Impact Fees	Existing In Growth Policy
Floodplain Regulations	Existing in M.C.A.
Development Predictability Map	Existing In Growth Policy
Zoning <sup>5</sup>	Existing In Growth Policy
Subdivision Regulations	Existing In Growth Policy

<sup>5</sup> Zoning can be used as a tool to implement land use policies. Some actual “policies” (see definition in Part 1 of this document) already in the Growth Policy can be directly implemented with zoning. Some “action items” (see definition in Part 1 of this document) are implemented with additional plans that may contain new detailed policies. Those new policies can then be implemented with zoning.

### **PART 3: New Implementation Methods Described**

Part 2 of this document introduced 5 implementation methods not currently listed in Chapter 10 of the Flathead County Growth Policy. The new implementation methods are described below and hereby appended to the Flathead County Growth Policy.

#### **Road Design Manual**

On July 2, 2007 the Flathead County Commissioners passed Resolution #2074 adopting minimum standards for design and construction of public and private roads in Flathead County. Regulatory standards were adopted to provide clear, predictable road design and construction guidance to both county agencies and private sector interests and to improve county-wide quality, consistency and safety of roads. The standards shall be revised and updated as needed.

#### **Rural Lands Policy and Regulation Advisory Committee**

The purpose of this committee is to provide landowner's perspective and technical support to the county relative to any proposal(s) that would create or amend land use policies and regulations affecting the rural landscape. The role of this Committee is primarily intended to address proposed or amended county policies or regulations that would have broad application to the forest or agricultural landscape and not to individual landowner applications that do not change established county policy, rules, or regulations. The Committee should, at a minimum, consist of the Flathead County Fire Warden and one representative from each of the following groups appointed by the Commissioners: (1) Large agricultural land owner, (2) Federal or State land management agency, (3) rural residential landowner - agriculture, (4) rural residential landowner – forest land, (5) industrial forest landowner and (6) the Flathead County Planning Board. Any County agency or board considering a policy or regulation that would affect any of the landowner types listed above must consult this committee early in the process for input and review of any such proposed policy or regulation.

#### **Flathead County Solid Waste District Strategic Plan.**

The Flathead County Solid Waste District is responsible for solid waste facilities and services in Flathead County. The Flathead County Solid Waste District should create a strategic plan to guide the management of future services and facilities. The Flathead County Growth Policy outlines many objectives to be accomplished in a Solid Waste Strategic Plan and could be used as a guide during the creation of that document.

#### **Building Department Feasibility Analysis**

Rapid growth and construction in Flathead County has created challenges for ensuring the safety of residential structures in rural areas. Although many builders voluntarily meet building codes established by national organizations, residential structures in Flathead County are not inspected beyond plumbing and electrical systems for

compliance with other minimum health and safety standards. A feasibility analysis could be completed to compare and contrast the overall cost of requiring compliance with some minimum building standards and the associated benefits to public health, safety and general welfare.

### **Overall Development Plans**

Montana law differentiates between public health, safety and general welfare impacts of minor subdivisions (5 lots or less) and major subdivisions (6 lots or more). However, no additional distinction is made for the regional impacts of large development projects with multiple phases extending over long periods of time. Flathead County is increasingly accepting applications for development projects that involve hundreds of lots/units or more, with multiple phases and proposed uses in unzoned areas. The impacts of these large developments are minimally reviewed for their regional planning significance, only for their compliance with the subdivision regulations.

Overall Development Plans (ODP) provide a mutually beneficial way for both the community and the developer to address the impacts of large developments in areas with no regulatory land use designations or accompanying performance standards. ODPs combine the regional planning elements of a neighborhood plan with the predictability and flexibility of a Planned Unit Development (PUD). Developers and property owners seeking a predictable entitlement process begin by first addressing large-scale planning issues such as arterial and collector roads, emergency service facilities, future land use designations, environmental constraints and compliance with the Neighborhood Plan (if applicable) and Growth Policy. Developers and landowners also have the option of securing additional marketability of a product by including details not normally found in subdivision regulations such as overall character of the development, building design elements, unique lighting standards, etc. The ODP also includes a proposal for detailed land use zoning throughout the project to secure a regulatory entitlement of future land uses, development standards and build-out densities. Once a plan is developed, future subdivision applications within the plan provide technical details such as lot layouts, local road layout and building sites.

ODPs are landowner initiated voluntary tools to “master plan” property for development. ODPs cannot be required as a condition to any preliminary plat application or be mandatory to any proposed application. ODP’s may identify an entire tract, a portion of a tract or multiple tracts for planning; however not all contiguous ownership is required to be planned at one time if development plans are not immediately anticipated or desired for the remaining contiguous properties. Incentives must be part of any ODP process to encourage the use of this tool by a landowner. In particular, the environmental analysis included in the ODP, together with the adopted zoning, should be sufficient to waive the redundant environmental review requirements with each subdivision application. Failure by the governing body to approve an ODP application does not preclude future development options for the property. An ODP is not a Neighborhood Plan in that it is not a plan created by a community but shall, at a minimum, contain the elements required under 76-1-601 M.C.A. in order to utilize incentives enabled in state law. Detailed



guidelines for preparing Overall Development Plan applications should be appended to the Flathead County Growth Policy.

ODPs are appropriate to the following situations:

- To help implement a neighborhood plan
- To achieve long-term entitlements and future predictability of long term development objectives
- To amend any existing entitlements including zoning, land use maps, density maps or Development Predictability Maps

The ODP shall include the following basic elements:

- A conceptual lot layout at full build-out with detailed information for Phase 1
- Land use plan (uses, density, location)
- Transportation plan (road circulation, trip generation, trip destination)
- General design standards and covenants
- Open space plan
- Phasing plan
- Assessment of the natural environment (soils, topography, vegetation, habitat)
- Water availability report
- General sanitation assessment
- Wildland fire mitigation plan (if applicable)
- Infrastructure plan (utility extensions, drainage)
- Emergency services and schools impact assessment
- Wildlife impact assessment
- Proposed zoning
- 76-1-601 M.C.A. criteria for a growth policy. The extent to which the ODP addresses the criteria is at the discretion of the governing body.

## PART 4: Implementation Schedule

The Flathead County Growth Policy calls for a number of specific master or management plans to be written. It is not possible to assess the importance of these plans by simple numerical prioritization alone. They involve issues that are of vital importance to the future of Flathead County. The Flathead County Commissioners and the Planning Board held a joint workshop on October 3, 2007 to discuss the relative importance of these plans. It was determined that they all will provide needed guidance in areas of critical importance. The Commissioners fully understand that importance and are committed to assuring their creation in the shortest timeframe possible, assuming adequate funding is available. The prospect of assigning responsibility for drafting the plans to existing or newly created county boards and committees will be given strong consideration.

All plans created will follow the public process outlined in Section 2 of Chapter 10 of the Flathead County Growth Policy. Planning staff would be assigned to the various bodies for the purpose of aiding and monitoring progress. All the plans will eventually be brought to the Planning Board for public hearings and possible revisions before being forwarded on to the Commissioners with a recommendation for amending to the Growth Policy. The goal is to have all plans completed within 24 months. The plans are listed below, in order of priority to implement as set by the Commissioners and Planning Board at the October 03, 2007 workshop.

<b>Non-Regulatory Implementation Method</b>	<b>Completion Goal</b>
Overall Development Plans	24 months
Transportation Plan	24 months
Water Quality/Flathead Basin Management Plan	24 months
Mineral Resource Extraction Plan	24 months
Affordable Housing Plan	24 months
Rural Lands Policy and Regulation Advisory Committee	24 months
Wastewater Management Plan	24 months
Parks and Recreation Master Plan.	Completed, update as needed.
Neighborhood Plans	As needed.
Growth Policy Text Amendments	As needed.
Flathead County Solid Waste District Strategic Plan.	Completed, update as needed

Distribution of educational materials	As needed.
Flathead County Natural Resource Use Policy	Completed, update as needed.
Emergency Service Plan(s)	As needed.
Economic Development Authority	As needed.
Capital Improvements Plan	Completed, update as needed.
Building Department Feasibility Analysis	As needed.
<b>Regulatory Implementation Method</b>	
<b>Completion Goal</b>	
Official Map.	24 months
Development Predictability Map.	24 months
Land Use Zoning (where health, safety, efficiency and general welfare impacts of increased development make it appropriate).	24 months
Impact Fees	24 months
Statements of Coordination/Interlocal Agreements	24 months
Subdivision Regulations	Completed, update as needed.
Floodplain Regulations	Completed, update as needed.
Road Design Manual	Completed, update as needed.